

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

GORDON L. BOWERS,

Plaintiff,

v.

OKLAHOMA BAR ASSOCIATION,

Defendant.

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Case No. CIV-12-1253-F

REPORT AND RECOMMENDATION

Plaintiff, a prisoner appearing pro se, has filed this action under 42 U.S.C. § 1983 alleging various violations of his constitutional rights. United States District Judge Stephen P. Friot has referred the matter to the undersigned Magistrate Judge for initial proceedings consistent with 28 U.S.C. § 636(b)(1)(B). Currently before the undersigned is Plaintiff's motion to proceed *in forma pauperis*. ECF No. 2. For the following reasons, it is recommended that the motion be **DENIED**.

On November 21, 2012, the undersigned entered an Order to Plaintiff to Cure Deficiencies, advising Plaintiff that he had failed to submit a proper motion to proceed *in forma pauperis* and directing him to cure the deficiencies noted in the Order on or before December 11, 2012. On January 15, 2013, the order was returned to the Clerk of Court as undeliverable. After determining that Plaintiff's mailing address was docketed incorrectly, a second copy of the order was mailed to the correct address on January 15, 2013. Almost two months have passed without Plaintiff curing the deficiencies in his motion to appear *in forma pauperis*. Accordingly, the undersigned finds that the motion should be denied.

It is therefore recommended that Plaintiff's Motion to Appear *In Forma Pauperis*, **ECF No. 2**, be **DENIED**. It is further recommended that this action be dismissed without prejudice unless Plaintiff pays the full filing fee within twenty (20) days of any order adopting this Report and Recommendation. Plaintiff is advised of his right to file an objection to this Report and Recommendation with the Clerk of Court by **April 2, 2013**, in accordance with 28 U.S.C. § 636 and Fed.R.Civ.P. 72. Plaintiff is further advised that any failure to make timely objection to this Report and Recommendation waives the right to appellate review of the factual and legal issues addressed herein. *Moore v. United States*, 950 F.2d 656 (10th Cir. 1991).

This Report and Recommendation **disposes of all issues** referred to the undersigned Magistrate Judge in the captioned matter.

ENTERED on March 15, 2013.



SHON T. ERWIN
UNITED STATES MAGISTRATE JUDGE